

REMARKS

Claims 1 through 73 are now pending in the present application.

In his Office Action, Examiner Peavey rejected claims 1 through 66, as noted below. The Applicants courteously point out that a Preliminary Amendment that added claims 67 and 68 was filed (via Certificate of Mailing) on October 31, 2003, but was apparently inadvertently overlooked or perhaps was not available to the Examiner in the USPTO file due to the recent location of the USPTO to its new facilities in Alexandria, Virginia. The Examiner is courteously requested to reconsider his rejection of claims 1 through 66, and to consider now-pending claims 67 through 73, at his earliest convenience.

Rejection Under 35 U.S.C. § 102(b)

Claims 1 through 66 were rejected under 35 U.S.C. § 102(b), as anticipated by the Miyaoh reference (US 6,682,080). This rejection is respectfully traversed.

The independent claims 1, 27, 39, 53 and 53 have been amended to clarify the fact that the inner sealing portion is in close proximity with the gasket opening through the carrier and substantially defines the periphery of the gasket opening. These amendments further clarify that the inner sealing portion and the flexible outer stopper, although laterally spaced apart, are in close proximity with each other and with the same gasket opening so as to cooperatively act in conjunction, with respect to such same gasket opening.

Miyaoh was published in the United States on January 27, 2004, well after Applicants' filing date, and likely published in Japan approximately January 13, 2003, less than one year before Applicants' filing date. Nevertheless, Applicants respectfully submit that Miyaoh not only does not disclose a gasket assembly as now claimed herein, but actually teaches away from Applicant's invention.

The bead portions (12, 13) of the Miyaoh gasket are not laterally close to each other, and they perform their sealing functions with respect to entirely different gasket openings (cylinder bores 2, lubrication or coolant fluid holes 3) that are laterally relatively far apart, as indicated by the broken lines in the middle portion of Figure 1 and as perhaps better shown in Figure 5. In addition, the stopper in Miyaoh, which is a relatively rigid, non-flexible grommet 11 (and not any laterally inner sealing portion) defines the periphery of the cylinder bore opening 2. Applicants respectfully submit that because of these factors, Miyaoh would neither teach or suggest Applicants' invention to one of ordinary skill in the art, unless such skilled artisan had the benefit of hindsight gleaned from Applicants' own disclosure. -

Applicants courteously request that the Examiner accordingly reconsider his rejections and issue a Notice of Allowance for the now-pending claims 1 through 73 at his earliest convenience. In this regard, if Examiner Peavey has any questions or wishes to discuss this application further, Applicants encourage him to telephone the undersigned attorney at the number indicated below.

Respectfully submitted,

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By: Ronald W. Wangerow
Ronald W. Wangerow
Reg. No. 29,597

FREUDENBERG-NOK GENERAL PARTNERSHIP
Intellectual Property Department
47690 East Anchor Court
Plymouth, MI 48170-2455
Direct Line: (734) 354-5445
Facsimile: (734) 451-1445